

Date: March 2, 2004

To: Court of Appeals Judges, Director of State Courts, Staff Counsel, Clerk's Office Staff

From: Cornelia G. Clark, Clerk

Re: COURT OF APPEALS MONTHLY STATISTICAL REPORT - FEBRUARY

Cumulative: January 1, 2004 through February 29, 2004

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Cases Carried Over					
<u>from December 31</u>	<u>631</u>	<u>506</u>	<u>339</u>	<u>522</u>	<u>1998</u>
Civil	248	276	197	322	1043
Criminal	383	230	142	200	955
<u>Cases Filed</u>	<u>189</u>	<u>150</u>	<u>134</u>	<u>153</u>	<u>626</u>
Civil	90	79	69	92	330
Criminal	99	71	65	61	296
<u>Cases Docketed</u>	<u>820</u>	<u>656</u>	<u>473</u>	<u>675</u>	<u>2624</u>
Civil	338	355	266	414	1373
Criminal	482	301	207	261	1251
<u>Cases Reinstated</u>	<u>0</u>	<u>3</u>	<u>1</u>	<u>5</u>	<u>9</u>
Civil	0	3	0	4	7
Criminal	0	0	1	1	2
<u>Cases Terminated*</u>	<u>128</u>	<u>139</u>	<u>96</u>	<u>138</u>	<u>501</u>
Opinion-Civil	23	31	26	35	115
Opinion-Criminal	<u>11</u>	<u>14</u>	<u>8</u>	<u>17</u>	<u>50</u>
Sub-Total	34	45	34	52	165
Sum.Disp.-Civil	12	17	12	4	45
Sum.Disp.-Criminal	<u>33</u>	<u>25</u>	<u>16</u>	<u>24</u>	<u>98</u>
Sub-Total	45	42	28	28	143
Memo Opinion-Civil	27	25	14	40	106
Memo Opinion-Criminal	<u>15</u>	<u>13</u>	<u>11</u>	<u>6</u>	<u>45</u>
Sub-Total	42	38	25	46	151
Other-Civil	5	8	6	10	29
Other-Criminal	<u>2</u>	<u>6</u>	<u>3</u>	<u>2</u>	<u>13</u>
Sub-Total	7	14	9	12	42
<u>Correction for Error</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Civil	+1	+2	0	+2	+5
Criminal	-1	-2	0	-2	-5
<u>CASES PENDING</u>	<u>689</u>	<u>522</u>	<u>379</u>	<u>542</u>	<u>2132</u>
CIVIL	275	280	208	327	1090
CRIMINAL	414	242	171	215	1042

*Terminations are adjusted to reflect dispositions by panels assigned to cases filed in other districts and cover the "number of cases" terminated.

CASE ACTIVITY DURING MONTH OF FEBRUARY:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Cases Filed	<u>100</u>	<u>76</u>	<u>64</u>	<u>82</u>	<u>322</u>
Civil	51	44	30	48	173
Criminal	49	32	34	34	149
Cases Terminated	<u>61</u>	<u>71</u>	<u>52</u>	<u>57</u>	<u>241</u>
Opinion-Civil	16	13	15	17	61
Opinion-Criminal	11	12	1	6	30
Sum.Disp.-Civil	4	9	9	2	24
Sum.Disp.-Criminal	13	13	9	6	41
Memo Opinion-Civil	10	14	8	16	48
Memo Opinion-Crim.	3	6	5	3	17
Other-Civil	3	3	4	7	17
Other-Criminal	1	1	1	0	3
Cases Reinstated	<u>0</u>	<u>2</u>	<u>1</u>	<u>2</u>	<u>5</u>
Civil	0	2	0	1	3
Criminal	0	0	1	1	2
Correction for Error	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Civil	+1	0	0	+2	+3
Criminal	-1	0	0	-2	-3
Notices of Appeal Filed:	I	II	III	IV	TOTAL
One-Judge Appeals:	<u>18</u>	<u>16</u>	<u>11</u>	<u>22</u>	<u>67</u>
Civil	18	9	6	12	45
Criminal	0	7	5	10	22
Three-Judge Appeals:	<u>71</u>	<u>54</u>	<u>47</u>	<u>52</u>	<u>224</u>
Civil	23	29	19	28	99
Criminal	48	25	28	24	125
Sup. Writs Filed:	5	3	3	2	13
Sup. Writs Terminated:	<u>2</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>14</u>
Granted	0	0	0	2	2
Denied, Dism'd, Other	2	4	4	2	12
Sup. Writs Pending:	8	8	2	15	33
Leave to Appeal Filed:	7	3	5	6	21
Leave to Appeal Term'd:	<u>5</u>	<u>5</u>	<u>4</u>	<u>6</u>	<u>20</u>
Granted	1	0	0	2	3
Denied, Dism'd, Other	4	5	4	4	17
Leave to Appeal Pending:	6	1	7	6	20

ADDITIONAL MATTERS DURING MONTH OF FEBRUARY:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Motions Filed:					
Numbered Cases	158	94	68	125	445
Extensions of Time	47	38	24	58	167
Unnumbered Cases	<u>89</u>	<u>59</u>	<u>22</u>	<u>40</u>	<u>210</u>
TOTAL MOTIONS FILED	294	191	114	223	822
Motions Terminated:					
Numbered Cases	100	96	55	100	351
Extensions of Time	46	42	25	61	174
Unnumbered Cases	<u>80</u>	<u>56</u>	<u>23</u>	<u>42</u>	<u>201</u>
TOTAL MOTIONS TERM'D	226	194	103	203	726
Motions Pending:					
Numbered Cases	97	42	38	85	262
Extensions of Time	5	2	4	8	19
Unnumbered Cases	<u>28</u>	<u>10</u>	<u>5</u>	<u>10</u>	<u>53</u>
TOTAL MOTIONS PENDING	130	54	47	103	334
Opins. Circulating	23	13	6	12	54
Opins. Approved but not Released	5	7	1	1	14
	I	II	III	IV	TOTAL
Pet. for Bypass Filed	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>1</u>
Civil	0	0	1	0	1
Criminal	0	0	0	0	0
Certifications Filed	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>
Civil	1	0	0	0	1
Criminal	0	0	0	0	0
Pet. for Review Filed	<u>20</u>	<u>14</u>	<u>15</u>	<u>11</u>	<u>60</u>
Civil	13	10	9	3	35
Criminal	7	4	6	8	25

Status of Pending Cases as of February 29, 2004:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Awaiting Record	<u>178</u>	<u>94</u>	<u>64</u>	<u>74</u>	<u>410</u>
Civil	60	59	33	46	198
Criminal	118	35	31	28 1-4/2	212
Applt. Brief Due	<u>58</u>	<u>67</u>	<u>61</u>	<u>79</u>	<u>265</u>
Civil	37	40	33	52	162
Criminal	21	27	28	27	103
Applt. Brief Overdue	<u>0</u>	<u>4</u>	<u>1</u>	<u>0</u>	<u>5</u>
Civil	0	3	1	0	4
Criminal	0	1	0	0	1
Respt. Brief Due	<u>33</u>	<u>48</u>	<u>28</u>	<u>36</u>	<u>145</u>
Civil	17	25	12	25	79
Criminal	16	23	16	11	66
Respt. Brief Overdue	<u>0</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>2</u>
Civil	0	0	0	1	1
Criminal	0	1	0	0	1
Other Brief Due	<u>1</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>3</u>
Civil	1	1	0	1	3
Criminal	0	0	0	0	0
Reply Brief Due	<u>18</u>	<u>27</u>	<u>10</u>	<u>26</u>	<u>81</u>
Civil	11	19	8	15	53
Criminal	7	8	2	11	28
Cases W/Motions or Writs Pending	<u>83</u>	<u>45</u>	<u>50</u>	<u>86</u>	<u>264</u>
Civil	55	28	38	61	182
Criminal	28	17	12	25	82
Ready for Screening	<u>95</u>	<u>83</u>	<u>43</u>	<u>34</u>	<u>255</u>
Civil	41 1-1/3, 6-1/4	55 8-2/4	34 6-3/4	24 1-4/3	154
Criminal	54 5-1/4	28 3-2/3	9 4-3/4	10 2-4/1	101
Assigned for Oral Arg.	<u>2</u>	<u>2</u>	<u>0</u>	<u>4</u>	<u>8</u>
Civil	2	2	0	4	8
Criminal	0	0	0	0	0
Under Submission	<u>159</u>	<u>96</u>	<u>81</u>	<u>163</u>	<u>499</u>
Civil	38 6-1/4	32 1-2/4	32 1-3/4	92 1-4/3, 1-4/2	194
Civil/FT	0	2	6	2	10
Criminal	121 10-1/4, 3-1/2	62	43	69 1-4/2	295
Criminal/FT	0 6-1/3	0	0	0	0
No Merit & Awaiting NM	<u>60</u>	<u>42</u>	<u>29</u>	<u>31</u>	<u>162</u>
Civil	11	2	4	1	18
Criminal	49	40	25	30 10-4/2	144
HOLD Status	<u>2</u>	<u>12</u>	<u>12</u>	<u>7</u>	<u>33</u>
Civil	2	12	7	3	24
Criminal	0	0	5	4	9
TOTAL CASES PENDING	<u>689</u>	<u>522</u>	<u>379</u>	<u>542</u>	<u>2132</u>
Civil	275	280	208	327	1090
Criminal	414	242	171	215	1042

Wisconsin Court of Appeals

Explanation of Termination Categories

OPINIONS

Includes three-judge and one-judge authored opinions and per curiam opinions.

All per curiam opinions are assigned to a supervising judge who has the responsibility for approval of the final draft of the opinion after circulation to the panel.

SUMMARY DISPOSITIONS

Includes opinions issued in the form of a court order after the court has reviewed the briefs and record, and following a screening and decision conference(s). All dispositions in this category are assigned to a supervising judge who is responsible for approval of the final draft of the opinion after circulation to the panel.

MEMO OPINIONS

Includes opinions issued in the form of a court order prior to a screening and decision conference(s). Examples of memo opinions are: jurisdictional terminations; petitions for writs denied or granted if the order terminates the action; petitions for leave to appeal that are denied; summary disposition of unscreened cases - usually upon a motion; motions to dismiss on the merits that are granted; transfers to circuit court; any other miscellaneous termination of an appeal in which judicial time is expended and a full explication of reasoning is set forth.

OTHER

Includes miscellaneous orders terminating cases that are issued by the Clerk's Office. Examples of miscellaneous orders are: voluntary dismissals; stipulations to dismiss; failure of an appellant to submit filing fee information.

Please Note: Case filings are counted according to the district of origin and tracked through the appellate process in the filing district. Terminations, however, are counted in the district that issued the opinion. For example, a case filed in District IV, but transferred to District III, will be counted as a pending case in District IV until the opinion is issued when adjustments will be made to reflect the termination by District III. In this example, the District III termination will result in one less case pending in District IV.

Page 2 of the Monthly Statistical Report reflects how many cases terminated by a particular district are transfer cases. Page 4 of the report reflects the current status of transfer cases.